

P PATENT

UNITED STATES PATENT AND TRADEMARK OFFICE  
(Case No. MBHB04-183 (400.147))

IN THE APPLICATION OF:

McSwiggen <i>et al.</i>	)	Examiner:	TBA
	)		
Serial No. 10/798,090	)	Group Art Unit:	1636
	)		
Filed: March 11, 2004	)	Confirmation No.:	6030
	)		
Title RNA Interference Mediated	)	Facsimile No.:	(703) 746-9195
Inhibition of Muscarinic	)		
Cholinergic Receptor Gene	)		
Expression Using Short Interfering	)		
Nucleic Acid (siNA)	)		

**FACSIMILE TRANSMITTAL LETTER**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Attn: Office of Initial Patent Examination  
Filing Receipt Corrections

Dear Sir:

In regard to the above identified application,

1. We are transmitting herewith the attached:
  - a) Request for Corrected Filing Receipt;
  - b) Copy of Filing Receipt with changes noted thereon;
  - c) Copy of Preliminary Amendment; and
  - d) Return postcard
2. With respect to fees:
  - a) It is believed no fee is due at this time.
3. GENERAL AUTHORIZATION: Please charge any additional fees or credit overpayment to Deposit Account No. 13-2490. A duplicate copy of this sheet is enclosed.

MCDONNELL BOENEN FARMER & BERKHOFF LLP  
300 SOUTH WACKER DRIVE, SUITE 3200  
CHICAGO, ILLINOIS 60606  
TELEPHONE (312) 913-0001  
FACSIMILE (312) 913-0002

4. CERTIFICATE UNDER 37 CFR § 1.8: The undersigned hereby certifies that this Transmittal Letter and the paper, as described in paragraph 1 hereinabove, are being transmitted with the USPTO facsimile number 703/746-9191, according to 37 CFR § 1.6(d) addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, ATTN: Office of Initial Patent Examination's Filing Receipt Corrections, on this 5th day of November, 2004.

Respectfully submitted,  
**McDonnell Boehnen Hulbert & Berghoff LLP**

Date: November 5, 2004

By: 

Lisa M.W. Hillman  
Registration No. 43,673

## PATENT

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(Case No. MBHB04-183 (400.147))

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Inhibition of Muscarinic	)		
Cholinergic Receptor Gene	)		
Expression Using Short Interfering	)		
Nucleic Acid (siNA)	)		

**REQUEST FOR CORRECTED FILING RECEIPT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Attention: Office of Initial Patent Examination's  
Filing Receipts Corrections

Dear Sir:

1. Attached is a copy of an updated filing receipt received from the PTO in the above-referenced application for which issuance of a new corrected filing receipt is respectfully requested.
2. There is an error with respect to the following data, which is incorrectly entered.  
**Error in**  
Title:  
RNA Interference Mediated Inhibition Of Vascular Muscarinic Cholinergic  
Receptor Gene Expression Using Short Interfering Nucleic Acid (siNA)

McDONNELL BOGARDEN HULBERT & BERGMANN LLP  
300 SOUTH WACKER DRIVE, SUITE 3200  
CHICAGO, ILLINOIS 60606  
TELEPHONE (312) 913-0001  
FACSIMILE (312) 913-0002

**Correct Data**

Title:

RNA Interference Mediated Inhibition Of Muscarinic Cholinergic Receptor Gene  
Expression Using Short Interfering Nucleic Acid (siNA)

3. In connection with this request, Applicant is submitting a copy of the Preliminary Amendment to reflect the correct title.
4. Applicants believe that no fee is due in connection with this filing; however, if a fee is due the Commissioner is authorized to charge our deposit account number 13-1249.

Respectfully submitted,  
McDonnell, Boehnen, Hulbert & Berghoff LLP

Date: November 4, 2004By: 

Lisa M.W. Hillman  
Registration No. 43,673



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/798,090	03/11/2004	1636	549	04-183 (400.147)	24	31	1

CONFIRMATION NO. 6030

UPDATED FILING RECEIPT



\*OC000000014092592\*

020306  
MCDONNELL BOEHNNEN HULBERT & BERGHOFF LLP  
300 S. WACKER DRIVE  
32ND FLOOR  
CHICAGO, IL 60606

Date Mailed: 10/15/2004

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

Ivan Richards, Kalamazoo, MI;  
James McSwiggen, Boulder, CO;

DOCKETED

2004  
Foreign Filing  
DUE DATE: 3-11-05  
M7/ Q

Power of Attorney: The patent practitioners associated with Customer Number 020306

## Domestic Priority data as claimed by applicant

This application is a CIP of 10/757,803 01/14/2004  
which is a CIP of 10/720,448 11/24/2003  
which is a CIP of 10/693,059 10/23/2003  
which is a CIP of 10/444,853 05/23/2003  
which is a CIP of PCT/US03/05346 02/20/2003  
and is a CIP of PCT/US03/05028 02/20/2003  
which claims benefit of 60/358,580 02/20/2002  
and claims benefit of 60/363,124 03/11/2002  
and claims benefit of 60/386,782 06/06/2002  
and claims benefit of 60/406,784 08/29/2002  
and claims benefit of 60/408,378 09/05/2002  
and claims benefit of 60/409,293 09/09/2002  
and claims benefit of 60/440,129 01/15/2003  
This application 10/798,090  
is a CIP of 10/427,160 04/30/2003  
and is a CIP of PCT/US02/15876 05/20/2002 \*  
(\*Data provided by applicant is not consistent with PTO records.

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**Foreign Applications**

UNITED STATES OF AMERICA PCT/US03/05346 02/20/2003  
UNITED STATES OF AMERICA PCT/US03/05028 02/20/2003  
UNITED STATES OF AMERICA PCT/US02/15876 05/20/2002

If Required, Foreign Filing License Granted: 05/27/2004

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US10/798,090**

Projected Publication Date: 01/20/2005

Non-Publication Request: No

Early Publication Request: No

**\*\* SMALL ENTITY \*\***

Title

RNA interference mediated inhibition of vascular muscarinic cholinergic receptor gene expression using short interfering nucleic acid (siNA)

Preliminary Class  
435

RNA Interference Mediated Inhibition of Muscarinic Cholinergic Receptor Gene Expression Using Short Interfering Nucleic Acid (siNA)

**LICENSE FOR FOREIGN FILING UNDER****Title 35, United States Code, Section 184****Title 37, Code of Federal Regulations, 5.11 & 5.15****GRANTED**

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations, especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration; Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

**NOT GRANTED**

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

## PATENT

**UNITED STATES PATENT AND TRADEMARK OFFICE**  
(Case No. MBHB04-183 (400.147))

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McSwiggen *et al.*

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Inhibition of Muscarinic Cholinergic  
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Commissioner for Patents  
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Sir:

In regard to the above identified application:

1. We are transmitting herewith the attached:
  - a. Preliminary Amendment; and
  - b. Return Receipt Postcard.

2. With respect to additional fees:
 

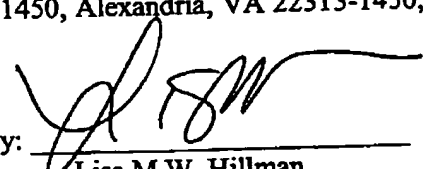
☒ No additional fee is required.

3. Please charge any additional fees or credit overpayment to Deposit Account No.13-2490. A duplicate copy of this sheet is enclosed.

4. CERTIFICATE OF MAILING UNDER 37 CFR § 1.8: The undersigned hereby certifies that this Transmittal Letter and the paper, as described in paragraph 1 hereinabove, are being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 5th day of November, 2004.

Date: November 5, 2004

By:

  
Lisa M.W. Hillman  
Reg. No. 43,673

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